REMARKS

Claims 1, 3-13, 15-21, and 23-28 are currently pending. Claims 2, 14, and 22 have been cancelled and claim 13 has been amended. No new matter has been added. Applicants reserve the right to pursue original and other claims in this and in other applications.

Applicants appreciate the Examiner's time and attention during the in-person interview with Applicants' representative on January 7, 2007, during which the references and the claims were discussed, but no agreement could be reached.

Claims 13-20 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The Office states that these "claims recite functional descriptive material…comprising computer programs or algorithms that impart functionality when employed as a computer component….Functional descriptive material must be embodied on a computer readable medium to impart its functionality." Applicants respectfully traverse this rejection.

Although Applicants believe that claims 13-20 satisfy the requirements of 101, claim 13 has been amended consistent with the suggestion of the Office. No new matter has been added. The rejection of claims 13-20 should respectfully be withdrawn and the claims allowed over 35 U.S.C. §101.

Claims 27 and 28 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 27 and 28 have been amended to address the stenographic error. Rejection of these claims should be withdrawn.

Claims 1, 3-5, 9, 11, and 12 stand rejected under 35 U.S.C. §102(a) as being anticipated by Nomizu (U.S. Pat. Pub. No. 20030095272)("Nomizu"). Applicants respectfully traverse this rejection.

Claim 1 recites, *inter alia*, an image-area separation apparatus, comprising: "a SIMD processor for performing an image-area separation process using SIMD processing, said SIMD processor having an associated image area separating means configured such that said SIMD processor separates image data into a character portion and a figure portion."

Nomizu discloses an data processing devices that simultaneously parallel processes data. The Office identifies the allegedly relevant passages of Nomizu, i.e., [0244], [0249]-[0255], [0292], [0296]-[0304], and [0308], which discloses performing edge area judgment. The result of the determination is whether an identified block of pixels is a character.

According to the Office, Nomizu:

> applies a filtering process using different sets of coefficients for character edge areas (sharpening) and picture areas (smoothing) (paragraph 0308). The use of different sets of coefficients for character and picture areas of the image data inherently requires separation of the two types of image data at some point prior to the filtering process.

(Office Action, p.4)

Nomizu fails to disclose "said SIMD processor having an associated image area separating means configured such that said SIMD processor separates image data into a character portion and a figure portion." As noted above, Nomizu only discloses performing edge area judgment to determine whether a pixel region is a character. Nomizu teaches processing the image as a whole and does not teach a "SIMD processor" separating the image data into a "character portion" from the "figure portion."

Assuming arguendo that Nomizu does apply a different filtering, it does not separate using a "SIMD processor" the "image data into a character portion and a figure portion." At best, Nomizu, according to the section identified by the Office, discloses applying a "MTF correction to the RGB data" dependent upon whether it is or it is not a character edge portion. This disclosure does not then therefore suggest that the character edge data is separated from non-character edge

data. Thus, based on the section of Nomizu identified by the Office, Nomizu fails to disclose the claimed invention. As such, the rejection of claim 1 should be withdrawn and claim 1 and its dependant claims allowed over Nomizu.

With respect to claim 11, Nomizu fails to disclose "a SIMD processor for performing an image-area separation process, said SIMD processor having an associated image-area separation means configured such that SIMD processor separates image data into a character portion and a figure portion" As noted above, Nomizu only discloses performing edge area judgment to determine whether a pixel region is a character. Nomizu does not teach separating using a "SIMD processor" the image data into a "character portion" from the "figure portion." As such, the rejection of claim 11 should be withdrawn and claim 11 allowed over Nomizu.

With respect to claim 12, Nomizu fails to disclose "said SIMD processor having an associated image-area separation means configured such that said SIMD processor separates image data into a character portion and a figure portion" and "an image-processing means for switching over contents of the image data in accordance with the result of the image-separation operation performed by the image-separation apparatus." Nomizu only discloses performing edge area judgment to determine whether a pixel region is a character. Nomizu does not teach separating the image data into a "character portion" from the "figure portion." As such, the rejection of claim 12 should be withdrawn and claim 12 allowed over Nomizu.

Claims 1, 3, and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Chatterjee (U.S. Pat. No. 5,317,652)("Chatterjee"). Applicants respectfully traverse this rejection.

Chatterjee discloses an optical character recognition system for orientation independence and position independence.

Chatterjee fails to disclose "said SIMD processor having an associated image area separating means configured such that said SIMD processor separates image data into a character portion and a figure portion." As noted above, Chatterjee discloses an optical character recognition system for orientation independence and position independence. Chatterjee is directed at a different

issue and teaches processing an image area and recognizing characters and does not teach or concerned with separating the image data into a "character portion" and a "figure portion." At best, Chatterjee extracts character portions by performing optical character recognition, but fails to separate using a "SIMD processor" a "character portion" from a "figure portion." As such, the rejection of claim 1 should be withdrawn and claim 1 and its dependant claims allowed over Chatterjee.

With respect to claim 11, Chatterjee fails to disclose "a SIMD processor for performing an image-area separation process, said SIMD processor having an associated image-area separation means configured such that SIMD processor separates image data into a character portion and a figure portion" As noted above, Chatterjee discloses an optical character recognition system for orientation independence and position independence and does not teach separating the image data into a "character portion" from the "figure portion." As such, the rejection of claim 11 should be withdrawn and claim 11 allowed over Chatterjee.

Claims 12-15, 21 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chatterjee. Applicants respectfully traverse this rejection.

With respect to claim 12, as noted above Chatterjee fails to disclose "said SIMD processor having an associated image-area separation means configured such that said SIMD processor separates image data into a character portion and a figure portion" and "an image-processing means for switching over contents of the image data in accordance with the result of the image-separation operation performed by the image-separation apparatus." The Office points to Chatterjee Col. 7, line 50 – Col. 8, line 9, but this section of Chatterjee only bolster's Applicant's argument that Chatterjee fails to disclose the claimed invention. The identified section of Chatterjee discusses character recognition, which the Appellant maintains it does not disclose, which according to the Office's previous arguments, is analogous to the element "said SIMD processor separates image data into a character portion and a figure portion." Thus, even if true, which it is not, the Office has failed to show how the character recognition satisfies both elements at the same time. As such, the rejection of claim 12 should be withdrawn and claim 12 allowed over Chatterjee.

With respect to claim 13, Chatterjee fails to disclose "causing the SIMD processor to perform the image-area separation for separating the image data into a character portion and a figure portion" and "an image-processing means for switching over contents of the image data in accordance with the result of the image-separation operation performed by the image-separation apparatus" as noted above. As such, the rejection of claim 13 should be withdrawn and claim 13 and its dependant claims allowed over Chatterjee.

With respect to claim 21, Chatterjee fails to disclose "causing the SIMD processor to separate the image data into a character portion and a figure portion" as noted above. Furthermore, Chatterjee fails to disclose "said computer-readable program, comprising processing routines executed by [[a]] the SIMD processor." If Chatterjee does disclose a SIMD processor, there is no disclosure that Chatterjee's SIMD uses processing routines from a computer readable program, SIMD's are typically hardwired. As such, the rejection of claim 21 should be withdrawn and claim 21 and its dependant claim allowed over Chatterjee.

Claims 13-17, 19, 21, 23-25, and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nomizu. Applicants respectfully traverse this rejection.

With respect to claim 13, Nomizu fails to disclose "causing the SIMD processor to perform the image-area separation for separating the image data into a character portion and a figure portion" as noted above. As such, the rejection of claim 13 should be withdrawn and claim 13 and its dependant claims allowed over Nomizu.

With respect to claim 21, Nomizu fails to disclose "causing the SIMD processor to separate the image data into a character portion and a figure portion" as noted above. As such, the rejection of claim 21 should be withdrawn and claim 21 and its dependant claims allowed over Nomizu.

Claims 6-8, 10, and 26 stand objected as being dependant upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 6-8 and 10, and 26 depend from claims 1 and 21, respectively, and are allowable for at least those reasons noted above with respect claims 1 and 21, respectively.

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

By ~~M. Ust #41,198~~

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